



ATTORNEY'S DOCKET ZU-414/CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: ) Group Art Unit: 1645  
Yoshihiro ABIKO, et al. )  
Serial No. 10/629,613 ) Examiner: Unknown  
Filed: July 30, 2003 )

For: **METHOD OF COLLECTING DATA FOR ESTIMATION OF SUSCEPTIBILITY TO PERIODONTAL DISEASE**

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. §1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[ X ] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. §1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[ ] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311.

The enclosed statement is accompanied by [check one]:

[ ] i. a certification in part (e) below as specified in 37 C.F.R. §1.97(e), or

[ ] ii. a check in the amount of \$ required by 37 C.F.R. §1.17(p).

[ ] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. §1.113, or a notice of allowance under 37 C.F.R. §1.311, but before payment of the issue fee.

PETITION: It is requested that the information being submitted be considered. [NOTE: If box (c) is checked, the following two boxes must be checked.]

[ ] PETITION FEE: A check for \$130.00 required by 37 CFR §1.17(i)(1), is enclosed.

[ ] CERTIFICATION is attended to in box (e) below.

[ ] d. The enclosed statement is being filed pursuant to 37 C.F.R. §1.97(i), for placement in the file.

[ ] e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

[ ] I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

[ ] I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

[ ] Appropriate certification is attached.

[ X ] f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 19-1980.

Respectfully submitted,

**SHERMAN AND SHALLOWAY**

Attorney for Applicants

Robert L. Haines

Reg. No. 35,533

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ZU-414/CIP

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Yoshihiro ABIKO, et al.

Serial No.: 10/629,613

Group: 1645

Filed: July 30, 2003

Examiner:

FOR: METHOD OF COLLECTING DATA FOR ESTIMATION OF SUSCEPTIBILITY TO PERIODONTAL DISEASE

Date: October 22, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with their obligation under 37 C.F.R. §1.56, Applicants would like to call the Examiner's attention to the documents listed on the attached forms SB-08A and B.

Applicants note that all of the documents listed are cited and discussed in the specification of the subject application.

Japanese application JP 2001-57892 can be found at page 49, lines 11-12, and U.S. published application 2002/0025519 A1 is the corresponding U.S. application from which the Japanese application claims priority.

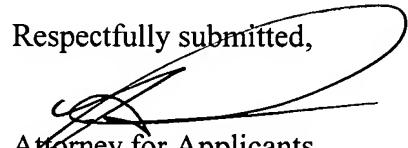
With regard to the literature references listed in form SB/08B, they are discussed

in the specification at the following respective locations:

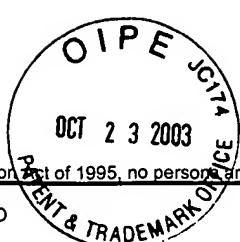
L.I. Holla, et al., page 5, lines 17-20,  
G. Diamond, et al., page 13, lines 15-18,  
T. Ganz, page 15, lines 4-5,  
L. Liu, et al. page 17, lines 19-22,  
L. Liu, et al., page 17, line 22 to page 18, line 1,  
E.B. Kopp, et al., page 18, lines 2-4.

Applicants are not aware at this time of any other prior art which could be considered to be relevant to the present application.

Respectfully submitted,

  
Attorney for Applicants  
Robert L. Haines  
Reg. No. 35,533

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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

Approved for use through 07/07/2005. GMD 600-1-0001  
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**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet

1

87

2

**Complete if Known**

Application Number	10/629,613
Filing Date	07/30/2003
First Named Inventor	Yoshihiro ABIKO
Art Unit	1645
Examiner Name	

Sheet

1

2

**U. S. PATENT DOCUMENTS**

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)			
		JP 2001-57892	03-06-2001	Becton Dickinson	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

OCT 23 2003

PTO/SB/08B (08-03)

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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

of

2

Application Number

10/629,613

Filing Date

07/30/2003

First Named Inventor

Yoshihiro ABIKO

Art Unit

1645

Examiner Name

Attorney Docket Number

ZU-414/CIP

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		L. I. HOLLA, et al., Interactions of Lymphotoxin alpha (TNF-beta) Angiotensin-Converting Enzyme (ACE), and Endothelin-a (ET-1) Gene Polymorphisms in Adult Periodontitis, "J. Periodontol.", 2001, Vol. 72, p. 85-89.	
		G. DIAMOND, et al., Transcriptional Regulation of Beta-Defensin Gene Expression in Tracheal Epithelial Cells. "Infect. Immun." 68(1), p 113-119 (2000)	
		T. GANZ, Defensins and Host Defense, "Science" 1999; 286; 420-421	
		L. LIU, et al., The Human Beta Defensin-1 and Alpha Defensin Are Encoded by Adjacent Genes; Two Families With Differing Disulfide Topology Share A Common Ancestry. "Genomics" 1997; 43; 316-320	
Gene and		L. LIU, et al., Structure and Mapping of the Human Beta-Defensin its Expression at Sites of Inflammation, "Gene" 1998; 222; 237-244	
		E. B. KOPP, et al., NF- $\kappa$ B and Rel Proteins in Innate Immunity, "Adv. Immunol." 1995; 58; 1-27	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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